

City of Selah
Council Minutes
of
January 22, 2002

Regular Meeting
Selah Council Chambers
115 West Naches Avenue
Selah, WA 98942

A. Call to Order – Mayor Pro-Tem Herb Schmidt called the meeting to order at 4:02pm.

B. Roll Call

Members Present: Ron Deathcragg, Keith Larson, Pete McNew, Allen Schmid, Herb Schmidt, Scott Smeback

Members Excused: Jerry Kobcs, Mayor Jones

Staff Present: Frank Sweet, City Supervisor; Kevin Roy, City Attorney; Jerry Davis, Fire Chief; Alan Baird, Police Chief; Dennis Davison, Community Planner; Jeff Hagler, Parks & Rec Director; Joe Henne, Public Works Director; John Gawlik, Building Inspector/Code Enforcement Officer; Dale Novobielski, Clerk/Treasurer

C. Pledge of Allegiance

Police Chief Alan Baird led the Pledge of Allegiance. Pastor Steve Lyons, Great Hope Christian Church, led the group in prayer.

D. Agenda Changes

E. Public Appearances

F. Getting To Know Our Businesses

G. Communications

1. Oral

Betty Thornquist, President Selah Chamber of Commerce, business address 131 E. Naches, introduced herself to the Council.

City Supervisor Frank Sweet explained that the City and Chamber are working together to purchase an ad in the Yakima Visitor & Convention Center publication to promote the City and its businesses. He

reported the City will pay for half of the page and the Chamber will pay for the other half of a full-page ad totaling \$1,650.

Ms. Thornquist reported all of the business ads for display in the Selah ad have been sold.

Councilman Schmid moved and Councilman Smeback seconded to approve the expenditure to join with the Chamber of Commerce in purchasing the \$1,650 ad with the proviso that Selah be included on the "attractions" map in the publication. Roll was taken: Councilman Smeback – yes, Councilman Schmid – yes; Councilman McNew – yes; Councilman Larson – yes; Councilman Deatherage – yes. Motion carried unanimously.

2. Written

H. Proclamations/Announcements

I. Consent Agenda

All items listed with an asterisk (*) were considered as part of the Consent Agenda.

- * 1. Approval of Minutes: January 8, 2001.
- * 2. Approval of Claims & Payroll - Claims checks nos. 37893 - 37939 for a total of \$53,490.06, Claims checks nos. 37940 – 37999 for a total of \$52,249.64 and Payroll checks nos. 48127 – 48253 for a total of \$111,217.18

Councilman Smeback moved to add M-1 Resolution Setting the Public Hearing Date for Washington Fruit & Produce Company Annexation to the Consent Agenda. Without objection, M-1 was added.

Councilman Deatherage asked why the City purchased a wheelchair for a LEOFF I retiree rather than renting one. The City Supervisor responded that the rental was as high as the purchase price and the Clerk/Treasurer found it more cost effective to purchase it with the understanding that it will be City property once the retiree no longer needs it.

Mayor Pro-Tem Schmidt noted that Councilman McNew's name was omitted from the January minutes.

Councilman Schmid moved and Councilman Deatherage seconded to adopt the Consent Agenda as amended and corrected. By voice vote, the motion carried unanimously.

J. Public Hearings

K. New Business

L. Old Business

M. Resolutions

- * 1. Resolution Setting the Public Hearing Date for Washington Fruit & Produce Company Annexation (File:920.81.10-1)

2. Resolution Revising Rates for the Collection of Solid Waste

Clerk/Treasurer Dale Novobielski explained this Resolution is necessitated by the increase request by Superior Refuse and subsequent ruling by the arbitrator after the Council denied that request. He stated the arbitrator's ruling allows for 40% increase in Superior's garbage fees to the City which will be passed on to consumers as a 30% average increase in their rates. He noted this will allow the City to maintain a similar margin for administration of garbage billing.

Councilman Larson asked what it is about the City's costs that will change because of the new rate. The Clerk/Treasurer explained that no consideration was given to increased postage or payroll costs when figuring the rate increase, although he did round some figures and even-up some intervals as part of the process. Councilman Larson asked if the total amount the City will receive annually will be the same as the previous year. The Clerk/Treasurer stated that based on everything over one container, the amount the City receives will be the same.

Councilman Larson asked City Attorney Kevin Roy if there is a remedy or recourse in the contract for the City when there's a significant change in the rates. The City Attorney responded that the contract provides for binding arbitration and that is designed to avoid the expense of going to Superior Court or a Court of Appeals. He noted the new rates are not overwhelming compared to other cities. He stated he doesn't think further requests will be seen over the next five or six years.

Councilman Schmid asked how fees compare with Yakima Waste's. The City Attorney responded that rates will be closer now than they were and noted that in their original request Superior argued that they were not receiving as much as Yakima Waste. The City Supervisor added that the City does not have a contract with Yakima Waste. He noted Yakima Waste's rates to customers inside the City limits of Selah do not include recycling and Superior's rates do.

Councilman Schmid asked what review the City has over what Superior is charging beyond the basic residential service. The City Supervisor responded that there is not a check-and-balance system now that is different from what we've had in the past. He noted City employees do not go out with the garbage trucks, instead we take what Superior reports in weights, overages, pick-ups, etc. on face value. Councilman Schmid stated he wants to be cautious lest there be overcharges of Selah residents or businesses.

City Attorney Kevin Roy noted that add-ons were not the issue between current Superior management and the previous owner. Instead, they were alleging that previous owners were putting more of the tonnage into commercial/industrial customers and into residential. He further stated that Superior/Waste Connection numbers seem to indicate that, if one believes their numbers.

Councilman McNew asked whether residents will be made aware of the increase prior to the imposition of new rates. The City Supervisor stated he hoped the media would attend the Council Meeting, but since they did not, the City will make a formal release. Councilman Schmid suggested a statement printed on the bills.

City Attorney Kevin Roy noted the Superior/Waste Connections offered an opportunity for the City to audit their books and suggested perhaps we could take them up on that offer.

Mayor Pro-Tem Herb Schmidt asked if this rate change will affect recycling. The Clerk/Treasurer responded that he has no knowledge of any impact. There was some discussion about the viability of the DARE program and whether it will continue to receive part of the benefits of recycling.

Councilman Larson moved and Councilman McNew seconded to approve the Resolution Revising Rates for the Collection of Solid Waste. Roll was taken: Councilman Smeback – yes, Councilman Schmid – no; Councilman McNew – yes; Councilman Larson – yes; Councilman Deatherage - yes. Motion carried.

N. Ordinances

1. Ordinance Amending Ordinance No. 1528 - 2002 Salary Schedule For Management, Confidential And Unrepresented Employees

Clerk/Treasurer Dale Novobielski stated Payroll Clerk Shelley Shultz brought to his attention some discrepancies when she began applying new payroll figures. He noted that the 3.4% increase should result in \$20 less per month for Police Chief than he had initially reported. He further noted that the position of Operator IV at the WasteWater Treatment Plant should have been differentiated from the salary for Lead Operator due to previous Council action in July of 2001, and that he had inadvertently omitted the Operator III position.

Councilman Smeback moved and Councilman Larson seconded to approve the Ordinance Amending Ordinance No. 1528 - 2002 Salary Schedule For Management, Confidential And Unrepresented Employees. Roll was taken: Councilman Smeback – yes, Councilman Schmid – yes; Councilman McNew – yes; Councilman Larson – yes; Councilman Deatherage - yes. Motion carried unanimously.

O. Communications

1. Oral

P. Reports/Announcements

1. Mayor
2. Council Members
3. Boards
4. Departmental
 - a. Planning Commission Minutes – December 18, 2001 – Approved
 - b. Fire Department 2001 Year End Report
 - c. Police Department – November/December 2001 Monthly Report

Clerk/Treasurer Dale Novobielski reported he received a check for the fourth quarter utility tax payment from Pacific Power of approximately \$42,000. He reported state auditors are finished with their on-site work and should soon be scheduling closing interview. He stated Evergreen Financial Services, collection agency for the courts, who brought an interest check for \$1200 today.

Councilman Schmid asked Police Chief Alan Baird how the article he shared with Council Members fits in with what the Police Department is currently doing in Selah. Chief Baird stated most complaints

received by his department are what would be considered "small" things such as barking dogs, speeding cars, etc. He acknowledged research that indicates working on small issues is an effective way of keeping those issues from growing into larger ones. He stated his department is constantly working on getting more community involvement and on problem-solving. He noted that with DSL each officer has his or her own e-mail allowing individuals to communicate directly with an officer of his or her choice.

Councilman Schmid stated he likes that idea and also likes the idea of black and white cars. He asked whether officers take cars home. Chief Baird responded that there are not enough cars to allow that. He concluded by saying that one thing he finds frustrating is that some of the things that most benefit the community take officers away from other needed tasks.

Public Works Director Joe Henne reported that contractors are shut down for winter, so his department is getting some things done that there hasn't been time to do until now. He reported having blocked off Hovde Lane. He noted problems with the traffic light at Fremont and 1st Street have been dealt with; DOT has modified software to deal with fog and to prevent only one bus being allowed through per light. He concluded his report, stating he met with the state today to discuss access to a potential pool site across from tennis courts at Carlon Park, and he has been pricing fixtures for restrooms at Carlon Park.

Councilman Schmid complimented Mr. Henne on the wall on 13th Street, saying it looks nice and workers did a good job.

Community Planner Dennis Davison reported the Crest Subdivision is in progress; there is initial grading at Riverside Golf Course down by the Elks, and the road is in for a new subdivision at Highland Court.

Fire Chief Jerry Davis requested feedback on his yearly report, asking the Council if they are getting enough information and if it's in the right format. Councilman McNew the meaning of "action 1, 2 and 3" on the first set of charts and all the way through. Chief Davis stated he will find an answer, but he thinks it refers to a Code 1 or 2 response.

Councilman Schmid asked the Chief to explain the longer response time in November. Chief Davis stated the response time is worst between 11pm and 8am. He also noted that lots of people were gone for Thanksgiving and there are also lots of alarms during that time.

City Supervisor Frank Sweet reported the City has the opportunity to purchase property at 106 South 2nd Street for \$45,000. He recommended that expenditure to the Council, noting it would be the City's intent to level the house and turn the property into a City parking lot.

Councilman Schmid moved and Councilman Deatherage seconded to authorize the expenditure of \$45,000 to purchase property at 105 South 2nd Street. Roll was taken: Councilman Smeback – yes; Councilman Schmid – yes; Councilman McNew – yes; Councilman Larson – yes; Councilman Deatherage – yes. Motion carried unanimously.

Mayor Pro-Tem Herb Schmidt noted this would be the last time he will chair the meeting until next year. He thanked the Council and staff for their help in accomplishing the business of the City.

Q. Executive Session

R. Adjournment

Council Member Deatherage moved and Council Member Schmid seconded that the meeting be adjourned. With voice vote, the motion passed unanimously. The meeting adjourned at 5:00pm.

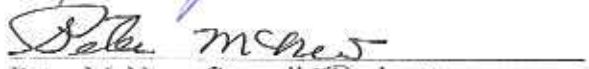

Ronald Deatherage, Council Member

(Excused)
Gerald Kobes, Council Member


Scott Smbeck, Council Member


Herb Schmidt, Mayor Pro-Tem


Keith Larson, Council Member


Peter McNew, Council Member


Allen Schmid, Council Member

ATTEST:


Dale E. Novobielski, Clerk/Treasurer